

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DONALD R. BARTO,)
)
Plaintiff,) Civil Action No. 12-569
)
v.) Judge Cathy Bissoon
) Magistrate Judge Maureen P. Kelly
CAROLYN W. COLVIN, acting)
Commissioner of Social Security,)
)
Defendant.)

MEMORANDUM ORDER

On September 14, 2012, this case was referred to United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.C and 72.D of the Local Rules for Magistrates.

On April 2, 2013, the magistrate judge issued a Report (Doc. 19) recommending that Plaintiff's Motion for Summary Judgment (Doc. 12) be denied, and that Defendant's Motion for Summary Judgment (Doc. 17) be granted. Service of the Report and Recommendation was made on the parties, and no objections have been filed.

After a review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

Plaintiff's Motion for Summary Judgment (**Doc. 12**) is **DENIED**, and Defendant's Motion for Summary Judgment (**Doc. 17**) is **GRANTED**. The Magistrate Judge's Report and Recommendation dated April 2, 2013 hereby is adopted as the Opinion of the District Court.

IT IS SO ORDERED.

May 9, 2013

s\Cathy Bissoon

Cathy Bissoon

United States District Judge

cc (via ECF email notification):

All counsel of record